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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, Washington, D.C. 20231" on September 12, 2002.

9/12/02  
Date

*Margaret K. Surridge*  
Margaret K. Surridge

Atty Dkt No. 7610-0040

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Richard N. ELLSON et al.

Serial No.: 09/751,231

Group Art Unit: 1641

Filing Date: December 29, 2000

Examiner: My-Chau T. TRAN

Title: DEVICE AND METHOD FOR TRACKING CONDITIONS IN AN ASSAY

**RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION OF SPECIES**  
**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing is an amendment in the above patent application in response to the Office Action of August 13, 2002.

- A Petition for Extension of Time is enclosed.
- Also enclosed: Return Postcard.
- No additional amendment fee is required.
- An additional Amendment Fee is required as calculated below.

No. of Claims After Amendment		Most Claims Previously Paid		Extra Claims				Additional Fee	
A. Total Claims	80	-	80	=	0	x	\$18	=	0.00
B. Ind. Claims	4	-	4	=	0	x	\$84	=	0.00
C. If amended to contain multiple dependent claims, add \$280					\$280	=		=	0.00
D. Total Amendment Fee (Total of A, B & C)						=		=	0.00
E. If small entity, 50% reduction of Total Amendment Fee (50% of D)						=		=	0.00
F. Total Amendment Fee (D minus E)						=		=	0.00

- A check for \$0 is attached.
- Charge \$0 to Deposit Account No. 18-0580.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-0580. **A duplicate copy of this sheet is enclosed.**

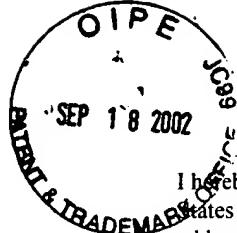
Respectfully submitted,

By:



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Title: DEVICE AND METHOD FOR TRACKING CONDITIONS IN AN ASSAY

**RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION OF SPECIES**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in reply to the Office Action mailed August 13, 2002 setting forth a Restriction Requirement and a Requirement for an Election of Species for the above-identified application. As this Response is filed within the shortened statutory one-month period for response, no extension of time is required. Applicants respectfully requests reconsideration of the restriction in view of the remarks set forth below.

**REPLY TO RESTRICTION REQUIREMENT:**

The Examiner has required restriction between six groups of claims:

- I. Claims 1-49 and 54-58, drawn to a device comprising a substrate and an integrated indicator;
- II. Claims 50-53, drawn to a device comprising a substrate and a plurality of different integrated indicators;